

RESOLUTION NO. R2016-015

A RESOLUTION of the City Council of the City of Tumwater, Washington, appointing a committee in opposition of a fireworks ban advisory ballot proposition to write an argument to the Thurston County Local Voters' Pamphlet.

WHEREAS, pursuant to Section 8.30.020 of the Tumwater Municipal Code, the City permits the retail sale of consumer fireworks from July 1 through July 4 of each year; and

WHEREAS, the City allows the ignition and discharge of consumer fireworks only on July 3 and July 4 between 3:00 p.m. and 11:00 p.m. annually; and

WHEREAS, the City Council has heard and considered many divergent opinions from City residents over the past few years as to whether the sale and discharge of fireworks should be totally banned within the City at all times of the year, with the exception of public displays and the sale, use and discharge of small trick and novelty devices; and

WHEREAS, on July 19, 2016, by passage of Resolution R2016-013, the City Council voted to provide an opportunity for all voters within the City to express their choice in the matter and agreed to be bound by the results of the advisory vote; and

WHEREAS, RCW 29A.32.280 requires the City Council formally appoint a committee of not more than three individuals to write an argument in opposition to the proposed ballot proposition for the Local Voters' Pamphlet; and

WHEREAS, on Thursday, July 21, 2016, a notice soliciting individuals willing to serve on a committee to advocate approval or a committee to advocate rejection of the proposition was announced on the City's website and Facebook page, as well as mailed to parties previously expressing interest in fireworks issues; and

WHEREAS, the following individuals have indicated their willingness to serve on the "Against" Committee and write an argument in opposition of the advisory proposition to ban the sale and discharge of fireworks:

Jack D. Wittenborn
David L. Nicandri
Karen Gower

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:

Section 1. "Against" Committee Appointment. The City Council appoints the following listed individuals to serve on the "Against" Committee to write the argument in opposition of the fireworks ban advisory ballot proposition:

1. Jack D. Wittenborn
2. David L. Nicandri
3. Karen Gower

Section 2. Certify Committee. The City Clerk is hereby directed to submit this Resolution to the Thurston County Auditor's Office no later than August 2, 2016.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Section 4. Severability. The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

RESOLVED this 26th day of July, 2016.

CITY OF TUMWATER



Pete Kmet, Mayor

ATTEST:



Melody Valiant, City Clerk

APPROVED AS TO FORM:



Karen Kirkpatrick, City Attorney